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GLEN EDWARD GARNER

7 **UNITED STATES DISTRICT COURT**
8 **FOR THE DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

10
11 Plaintiff,

12 vs.

13 GLEN EDWARD GARNER,

14 Defendant.
15

CASE NO: 2:18-CR-317-JAD-VCF

**STIPULATION TO EXTEND TIME
TO RE-FILE MOTION TO DISMISS
AND MOTION TO SUPPRESS
(SECOND REQUEST)**

16 IT IS HEREBY STIPULATED AND AGREED, by and between CHRISTOPHER
17 CHU, Acting United States Attorney, and JOSHUA BRISTER, Assistant United States
18 Attorney, counsel for the United States of America, and YI LIN ZHENG, CJA counsel
19 for GLEN EDWARD GARNER, that the time for the re-file [114] Motion to Dismiss,
20 and [116] Motion to Suppress be extended until November 5, 2021. This Stipulation is
21 entered into for the following reasons:
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23 1. That while the defense would like to litigate the merits of the issues presented
24 in [114] Motion to Dismiss and [116] Motion to Suppress, filed by prior CJA counsel
25 Richard Pocker, Esq., it should be noted that those many of those issues are directed at
26 the Superseding Indictment. However, the Government has since returned a Second
27 Superseding Indictment against Mr. Garner. Thus, it may render moot some of the
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1 issues presented in the originally filed motions [114; 116].

2 2. Since the last stipulation, counsel has reviewed the grand jury transcripts of the
3 Second Superseding Indictment to make a more accurate determination regarding
4 which arguments can and should be re-filed. Counsel has completed the Motion to
5 Suppress but needs additional time to re-draft the Motion to Dismiss.
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7 3. Additionally, the parties have conferred and awaiting the reproduction of certain
8 portions of discovery, which was not transferred with the file. To effectively and
9 thoroughly review all necessary data, have time to confer with client, to re-draft and
10 re-file meaningful motions to the court on defendant's behalf, counsel requires
11 additional time. Likewise, the Government would need an opportunity to respond.
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13 4. That counsel for the Defendant has consulted with AUSA Joshua Brister and he
14 does not object to said enlargement of time to allow the Defense until November 5,
15 2021 to file a Supplement, the Government shall have until November 19, 2021 to file
16 its response, and any reply by the defense shall be file on or before December 3, 2021.
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19 STIPULATION entered by:

20 */s/ Yi Lin Zheng*

21 _____
22 YI LIN ZHENG, ESQ.
23 Nevada Bar No. 10811
24 530 S. Seventh St.
25 Las Vegas, Nevada 89101
26 Attorney for the Defendant
27 GLEN EDWARD GARNER
28

STIPULATION entered by:

/s/ Joshua Brister

CHRISTOPHER CHU
Acting United States Attorney
JOSHUA BRISTER
Assistant United States Attorney
501 Las Vegas Blvd. South, Ste. 1100
Las Vegas, Nevada 89101

1 UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,
4

5 Plaintiff,

6 vs.

7 GLEN EDWARD GARNER,
8

9 Defendant.

CASE NO: 2:18-CR-317-JAD-VCF

**ORDER EXTEND TIME TO RE-
FILE MOTION TO DISMISS AND
MOTION TO SUPPRESS (SECOND
REQUEST)**

10 Upon Stipulation of the parties:

11 **IT IS HEREBY ORDERED** that the Defendant shall have until November 5,
12 2021 to file a re-file [114] Motion to Dismiss, and [116] Motion to Suppress.

13 **IT IS FURTHER ORDERED** that the Government shall have until November
14 19, 2021 to file its response.

15 **IT IS FURTHER ORDERED** that any reply by the defense shall be file on or
16 before December 3, 2021.

17 DATED this 20th day of October, 2021.

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22 UNITED STATES MAGISTRATE JUDGE
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